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26 Attorneys for Defendants MERRILL LYNCH, PIERCE,
27 FENNER & SMITH INCORPORATED and BANK OF
28 AMERICA CORPORATION

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROCHELLE LEININGER,
Plaintiff,
vs.

MERRILL LYNCH, PIERCE, FENNER &
SMITH, INCORPORATED; BANK OF
AMERICA CORPORATION, and DOES
1-20, inclusive,

Defendants.

CASE NO. CV-11-2623 LB

**[PROPOSED] ORDER DISMISSING
ACTION WITH PREJUDICE**

**[PROPOSED] ORDER DISMISSING ACTION
WITH PREJUDICE
CASE NO.: CV-11-2623 LB**

1 WHEREAS, Plaintiff Rochelle Leininger and Defendant Merrill Lynch, Pierce, Fenner &
2 Smith Inc. filed a Request For Dismissal With Prejudice;

3 WHEREAS, in the Request for Dismissal With Prejudice, the parties requested that this
4 matter be dismissed, effective as of the date of the filing of the Request, with prejudice and with
5 each party bearing its own attorneys' fees and costs; and

6 WHEREAS, the parties have agreed that no party is a prevailing party.

7 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT
8 this matter is DISMISSED in its entirety with prejudice, with each party bearing its own
9 attorneys' fees and costs, effective December 28, 2011. No party is a prevailing party for any
10 purpose.

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12 DATED: January 4, 2012



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14 The Honorable Laurel Beeler
15 United States District Judge

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